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REMARKS

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3 Claims 1-8 and 10-64 remain in the application for consideration. In view
4 of the following remarks, Applicant respectfully requests withdrawal of the
rejections and forwarding of the application onto issuance.

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§103 Rejections

7 Claims 1-8, 10-19, 24-28, 30-31, 37-43, 48-49, and 54-64 stand rejected
8 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,295,261 to
9 Simonetti in view of U.S. Patent No. 6,470,344 to Kothuri et al. (hereinafter
10 “Kothuri”).

11 Claims 20-23, 29, 32-36, 44-47, and 50-53 stand rejected under 35 U.S.C.
12 §103(a) as being unpatentable over Simonetti and Kothuri in view of U.S. Patent
13 No. 6,151,601 to Papierniak et al. (hereinafter “Papierniak”).

14 Before discussing the substance of the Office’s rejections, a discussion of
15 Simonetti and Kothuri is provided below to assist the Office in appreciating
16 patentable distinctions between the Applicant’s claimed embodiments and the
17 cited references. Before discussing these references, however, a short discussion
18 of the §103 standard is provided.

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The §103 Standard

21 In making out a §103 rejection, the Federal Circuit has stated that when one
22 or more reference or source of prior art is required in establishing obviousness, “it
23 is necessary to ascertain whether the prior art *teachings* would appear to be
24 sufficient to one of ordinary skill in the art to suggest making the claimed
25 substitutions or other modification.” *In re Fine*, 5 USPQ 2d, 1596, 1598 (Fed. Cir.

1 1988). That is, to make out a *prima facie* case of obviousness, the references must
2 be examined to ascertain whether the combined *teachings* render the claimed
3 subject matter obvious. *In re Wood*, 202 USPQ 171, 174 (C.C.P.A. 1979).

4 Moreover, there is a requirement that there must be some reason,
5 suggestion, or motivation *from the prior art*, as a whole, for the person of ordinary
6 skill to have combined or modified the references. *See, In re Geiger*, 2 USPQ 2d
7 1276, 1278 (Fed. Cir. 1987). Additionally, *particular findings* must be made as to
8 the reason the skilled artisan, with no knowledge of the claimed invention, would
9 have selected these components for combination in the manner claimed. *See, e.g.*,
10 *In Re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000).

11 It is impermissible to use the claimed invention as an instruction manual or
12 “template” to piece together the teachings of the prior art so that the claimed
13 invention is rendered obvious. One cannot use hindsight reconstruction to pick
14 and choose among isolated disclosures in the prior art to deprecate the claimed
15 invention. *In re Fritch*, 23 USPQ 2d 1780, 1784 (Fed. Cir. 1992).

16 A factor cutting against a finding of motivation to combine or modify the
17 prior art is when the prior art *teaches away* from the claimed combination. A
18 reference is said to teach away when a person of ordinary skill, upon reading the
19 reference, would be led in a direction divergent from the path that the applicant
20 took. *In re Gurley*, 31 USPQ 2d 1130, 1131 (Fed. Cir 1994).

21 In order for a *prima facie* case of obviousness to be made, the resulting
22 combination or motivation must appear to show or suggest the claimed invention.
23 *In re Nielson*, 2 USPQ 2d 1525, 1528 (Fed. Cir. 1987).

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1 In view of the standard for establishing a *prima facie* case of obviousness,
2 Applicant respectfully disagrees with the Office's rejections of the present claims
3 and submits that the Office has not established a *prima facie* case of obviousness.

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5 The Simonetti Reference

6 Simonetti discloses a database structure in which the fields of each database
7 record are divided into two classes – navigational and information data. The data
8 in the navigational fields is stored in a topological map which may be viewed as a
9 tree structure or the merger of two or more tree structures. The informational data
10 is stored in a conventional relational database.

11 Simonetti's system can best be appreciated from its Figs. 2A, 2B, and 2C.
12 Simonetti's database includes two types of data which are stored and searched in
13 different manners. The first type of data is navigational data and comprises the
14 hierarchically organized data. The navigational data is stored in one or more tree
15 structures. The remaining data is so-called informational data. The informational
16 data is stored in a relational type database.

17 Fig. 2 illustrates the conversion of a conventional database 10 (Fig. 1A)
18 into a database according to Simonetti's disclosure. The hierarchical data is
19 located in columns 31-33 as shown in Fig. 2(A). The informational data columns
20 are shown at 34.

21 The database is then split into two tables 41 and 42 as shown in Fig. 2(B).
22 Table 41 contains the navigational data and table 42 contains the informational
23 data. An additional field is added to each record in each table. This field is shown
24 in columns 43 and 44. A unique identifier is assigned to each record in the
25 database. The value of this identifier is placed in these additional fields. Hence,

1 column 43 is identical to column 44. This unique identifier provides a means for
2 identifying the informational data record in table 42 that is associated with each
3 record in navigational table 41.

4 The final step of converting the database consists of replacing table 41 by a
5 tree structure 50 as shown in Fig. 2(C). The nodes in tree structure 50 are divided
6 into sets shown at 51-54. Each set of nodes corresponds to a column in table 41.
7 The nodes in set 51 correspond to the state, those in set 52 correspond to the city,
8 those in set 53 correspond to the street address, and ***those in set 54 correspond to***
9 ***the unique identifier defined for each record in the original database.*** Each
10 node in a given set is linked to a node in a set one level higher up in the hierarchy.
11 For example, by traversing the tree from any given city node to the state node to
12 which it is linked, one may ascertain the state in which the city is located.

13 Tree structure 50 may be used to select all informational data records
14 corresponding to a particular query stated in terms of the navigational data. For
15 example, to find all records in which the customer was located in a given city, tree
16 structure 50 is accessed at the city level and the node corresponding to the city in
17 question found. ***The node is then traced via its links to the unique identifier at***
18 ***level 54.*** The unique identifiers are then used to access the informational data in
19 table 42.

20 That is, Simonetti's hierarchical tree has only one level (level 54) which
21 contains a unique identifier. In order to ascertain the unique identifier, one starts
22 at an upstream node (such as one at the city or state level) and traverses down to
23 the very bottom of the tree where the unique identifier is located. Individual nodes
24 in Simonetti's tree, other than those nodes at the very bottom of the tree, are likely
25 associated with multiple different unique identifiers. For example, each of the

1 nodes at level 53 is associated with multiple different unique identifiers from level
2 54. Each of the nodes at level 52 is associated with even more unique identifiers.
3

4 **The Kothuri Reference**

5 Kothuri discloses a set of multi-dimensional/multi-attribute data items that
6 are indexed by recursively clustering the data items into smaller collections until
7 each cluster can be stored (i.e., indexed) in a single leaf node of a hierarchical
8 (e.g., tree-structured) index. In particular, when the set of data items--or a subset
9 thereof--is too large to fit in a single leaf node, a suitable dimension/attribute by
10 which to divide the data items is selected and the set or subset is divided
11 accordingly. The capacity of a node may be specified as a fanout characteristic of
12 the index or may be determined by a parameter of a suitable physical storage
13 device (e.g., the capacity of a disk page).

14 The selected dimension or attribute in which to divide a data set or subset
15 may be the one having data item values exhibiting the greatest variance or range.
16 Alternatively, a dimension may be selected based upon an expected or specified
17 query pattern. Illustratively, when a dividing dimension is selected, the data items
18 are sorted in that dimension and then divided into two or more subsets that contain
19 equal or nearly equal numbers of data items. After leaf nodes are constructed for
20 clusters of data items, intermediate nodes and, finally, a root node may be
21 constructed to complete the index. Each higher-level node is designed to
22 encompass or contain its children nodes.

23 A hierarchical index (e.g., an R-tree index) constructed to contain multi-
24 dimensional or multi-attribute data may be stored in a database environment--such
25 as a relational database management system. In one embodiment, a first object or

1 table in a database is configured to store information concerning the index (e.g., its
2 dimensionality, fanout) and possibly an identifier (e.g., an address or storage
3 location, a unique node identity) of a root node of the index. A second object or
4 table is configured to store a record or row for each node of the index. The multi-
5 dimensional data items may be stored in one or more objects or tables, in the same
6 or a different database.

7 In the second object or table mentioned above, each record for an index
8 node may consist of items such as: a unique identifier of the corresponding node,
9 an identifier of a parent node, an identifier of a sibling node, a measure of the
10 number of children of the node, and an entry for each child. In one embodiment,
11 each entry for a child node includes an identifier of the child, which may be a data
12 item (if the node is a leaf node) or another node. Illustratively, each index record
13 also includes a bounding region or area that encompasses the data item (if the node
14 is a leaf node) or all data items that descend from the node (i.e., all data items
15 below the node that are connected to the node through one or more intervening
16 nodes).

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18 **The Claimed Subject Matter**

19 **Claim 1** recites a system for determining context comprising:

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21 • one or more computer-readable media; and

22 • a hierarchical tree structure resident on the media and comprising
23 multiple nodes each of which represent geographical divisions of the
24 Earth, individual nodes comprising an entity identification (EID) that
25 is unique to the node, EIDs serving as a basis by which attributes can
 be assigned to goods or services associated with an individual node,
 said multiple nodes comprising parent and children nodes, at least

1 some of the parent nodes and their associated children nodes having
2 EIDs that are unique for the associated node.

3 In making out the rejection of this claim, the Office argues, *inter alia*, that
4 Simonetti does not disclose a system in which at least some of the parent nodes
5 and their associated children node have EIDs that are unique for the associated
6 node. Applicant agrees.

7 The Office then goes onto rely on Kothuri as disclosing unique identifiers
8 associated with parent and children nodes. Based on this, the Office argues that
9 the subject matter of this claim would be obvious in view of these two references.
10 Specifically, the Office argues that it would be obvious to combine the teachings
11 of Simonetti and Kothuri so as to obtain a unique identifier for the associated
12 node. As a motivation to combine these teachings, the Office reasons that such
13 combination would “have a system that provides for effective management of data
14 that are inherently multi-dimensional...and each higher-level node is designated to
15 encompass or contain its children nodes.” See, Office Action, page 4. Further, the
16 Office reasons that “this system has a way to improve the searching and retrieving
17 a tree structure...and optimization for search on a plurality of search values
18 without the need to generate and store search table for each search value values.”

19 Applicant respectfully but strongly disagrees with the Office and submits
20 that the Office has failed to establish a *prima facie* case of obviousness for a
21 number of different reasons. Accordingly, Applicant respectfully traverses the
22 Office’s rejection.

23 First, the Office’s attempted modification of Simonetti is in direct
24 contravention with Simonetti’s teachings. That is, there is no motivation
25 whatsoever in Simonetti to support the Office’s attempted modification. In point

1 of fact, *Simonetti teaches directly away* from any such modification. As the
2 Office will surely appreciate, teaching away is the antithesis of a motivation to
3 combine. Specifically, Simonetti teaches a system, as seen in Fig. 2C, in which
4 only its lowest tree level 54 has nodes that are associated with a unique identifier.
5 In accordance with Simonetti's system, and as described in Simonetti's
6 specification, a final step of converting an associated database consists of
7 replacing table 41 by a tree structure 50 as shown in Fig. 2(C). The nodes in tree
8 structure 50 are divided into sets shown at 51-54. Each set of nodes corresponds
9 to a column in table 41. The nodes in set 51 correspond to the state, those in set
10 52 correspond to the city, those in set 53 correspond to the street address, and
11 ***those in set 54 correspond to the unique identifier defined for each record in the***
12 ***original database.*** Each node in a given set is linked to a node in a set one level
13 higher up in the hierarchy. For example, by traversing the tree from any given city
14 node to the state node to which it is linked, one may ascertain the state in which
15 the city is located.

16 Simonetti does not contemplate or even remotely suggest nodes other than
17 the nodes appearing in the lowest level 54, as having a unique identifier. Rather, a
18 unique identifier is ascertained by traversing down the tree from a node at a higher
19 level to ascertain the unique identifier of a node or nodes at level 54. It is unclear,
20 at best, how Simonetti's system would work, if it would work at all, if both parent
21 and children nodes were to each have their own unique identifiers.

22 Second, the Office's stated motivation to combine Simonetti and Kothuri
23 does not seem to make much sense in Simonetti's context. That is, Simonetti's
24 system appears to have been developed for a specific reason and presents a
25 specific approach to solving its problem. There is nothing that Applicant can

1 ascertain, from a fairly thorough reading of Simonetti, why one might be
2 motivated to change its specifically architected approach. Further, modifying
3 Simonetti, as suggested by the Office, would appear to jeopardize Simonetti's
4 functionality insofar as its specifically architected solution solves its database
5 conversion problem.

6 Third, the Office has not made *particular findings* as to the reason why the
7 skilled artisan, with no knowledge of the claimed subject matter, would have
8 selected these references for combination in the manner claimed. That is, it
9 appears the Office has used Applicant's disclosure as a template, using hindsight
10 reconstruction, to pick and choose items from the prior art to take the position that
11 the subject matter of claim 1 is obvious. As the Office surely appreciates,
12 hindsight reconstruction has been specifically proscribed by the Federal Circuit.

13 For all of the reasons set forth above, claim 1 is allowable.

14 **Claims 2-8, and 10-23** depend from claim 1 and are allowable as
15 depending from an allowable base claim. These claims are also allowable for their
16 own recited features which, in combination with those recited in claim 1, are
17 neither disclosed nor suggested in the references of record, either singly or in
18 combination with one another. Given the allowability of these claims, the
19 rejection of claims 20-23 over the combination with Papierniak is not seen to add
20 anything of significance.

21 **Claim 24** recites a system for determining context comprising:

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- 23 ● one or more computer-readable media;
- 24 ● a first hierarchical tree structure having multiple nodes associated
25 with a first context;
- 26 ● at least one second hierarchical tree structure having multiple nodes
27 associated with a second context; and

1 at least one node from the at least one second hierarchical tree
2 structure being linked with one node on the first hierarchical tree
3 structure by a link that is configured to enable a complete context to
4 be derived from the first and second contexts, individual nodes
5 having unique IDs that can serve as a basis by which attributes can
6 be assigned to goods or services,
7 • said multiple nodes comprising parent and children nodes, at least
8 some of the parent nodes and their associated children nodes having
9 IDs that are unique for the associated node.

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11 In making out the rejection of this claim, the Office essentially relies on
12 Simonetti and Kothuri, and uses the same rationale that it used to make out the
13 rejection of claim 1. For all of the reasons set forth above with respect to the
14 Office's failure to make out a *prima facie* case of obviousness, this claim is
15 allowable. Accordingly, Applicant respectfully traverses the Office's rejection.

16 **Claims 25-36** depend from claim 24 and are allowable as depending from
17 an allowable base claim. These claims are also allowable for their own recited
18 features which, in combination with those recited in claim 24, are neither disclosed
19 nor suggested in the references of record, either singly or in combination with one
20 another. In addition, given the allowability of these claims, the rejection of claims
21 29 and 32-36 over the combination with Papierniak is not seen to add anything of
22 significance.

23 **Claim 37** recites a method of determining context comprising:

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25 • accessing first and one or more second hierarchical tree structures
26 that are resident on one or more computer-readable media, each tree
27 structure having multiple nodes, the nodes of the first hierarchical
28 tree structure being associated with a first context, the nodes of the
29 one or more second hierarchical tree structures being associated with
30 a second context; and
31 traversing multiple nodes of at least one of the tree structures to
32 derive a context, individual nodes having unique IDs that can serve

1 as a basis by which attributes can be assigned to goods or services,
2 said multiple nodes comprising parent and children nodes, at least
3 some of the parent nodes and their associated children nodes having
4 IDs that are unique for the associated node.

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8 In making out the rejection of this claim, the Office essentially relies on
9 Simonetti and Kothuri, and uses the same rationale that it used to make out the
10 rejection of claim 1. For all of the reasons set forth above with respect to the
11 Office's failure to make out a *prima facie* case of obviousness, this claim is
12 allowable. Accordingly, Applicant respectfully traverses the Office's rejection.

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14 **Claims 38-47** depend from claim 37 and are allowable as depending from
15 an allowable base claim. These claims are also allowable for their own recited
16 features which, in combination with those recited in claim 37, are neither disclosed
17 nor suggested in the references of record, either singly or in combination with one
18 another. In addition, given the allowability of these claims, the rejection of claims
19 44-47 over the combination with Papierniak is not seen to add anything of
20 significance.

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22 **Claim 48** is directed to a computer-readable medium having instructions
23 that cause a computing device to

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- 26 • access first and second hierarchical tree structures, each tree
27 structure having multiple nodes, the nodes of the first hierarchical
28 tree structure being associated with a first location context, the nodes
29 of the second hierarchical tree structure being associated with a
second location context, at least one node of the second hierarchical
tree structure being linked with a node of the first hierarchical tree
structure; and
- 30 • traverse at least one node of each tree structure to derive a location
31 context, at least one node in a traversal path that leads to a root node
32 of the second hierarchical tree structure being linked with a node of
33 the first hierarchical tree structure, individual nodes having unique

1 IDs that can serve as a basis by which attributes can be assigned to
2 goods or services, said multiple nodes comprising parent and
3 children nodes, at least some of the parent nodes and their associated
4 children nodes having IDs that are unique for the associated node.

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10 In making out the rejection of this claim, the Office essentially relies on
11 Simonetti and Kothuri, and uses the same rationale that it used to make out the
12 rejection of claim 1. For all of the reasons set forth above with respect to the
13 Office's failure to make out a *prima facie* case of obviousness, this claim is
14 allowable. Accordingly, Applicant respectfully traverses the Office's rejection.

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16 **Claims 49-53** depend from claim 48 and are allowable as depending from
17 an allowable base claim. These claims are also allowable for their own recited
18 features which, in combination with those recited in claim 48, are neither disclosed
19 nor suggested in the references of record, either singly or in combination with one
20 another. In addition, given the allowability of these claims, the rejection of claims
21 50-53 over the combination with Papierniak is not seen to add anything of
22 significance.

23
24 **Claim 54** recites a method of locating goods or services comprising:

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- defining a hierarchical tree structure comprising multiple nodes that each can define a physical or logical entity, said multiple nodes comprising parent and children nodes, at least some of the parent nodes and their associated children nodes having IDs that are unique for the associated node;
- associating one or more goods or services with one or more of the nodes; and
- traversing one or more of the multiple nodes to discover a good or service.

1 In making out the rejection of this claim, the Office essentially relies on
2 Simonetti and Kothuri, and uses the same rationale that it used to make out the
3 rejection of claim 1. For all of the reasons set forth above with respect to the
4 Office's failure to make out a *prima facie* case of obviousness, this claim is
5 allowable. Accordingly, Applicant respectfully traverses the Office's rejection.

6 **Claims 55-56** depend from claim 54 and are allowable as depending from
7 an allowable base claim. These claims are also allowable for their own recited
8 features which, in combination with those recited in claim 54, are neither disclosed
9 nor suggested in the references of record, either singly or in combination with one
10 another.

11 **Claim 57** is a computer-readable medium claim and is of comparable scope
12 to claim 54. Hence, for all of the reasons set forth with respect to claim 54 being
13 allowable, this claim is allowable. Accordingly, Applicant respectfully traverses
14 the Office's rejection.

15 **Claim 58** recites a method of building context-aware data structures

- 16 • receiving input from a source that specifies information pertaining to
17 physical and/or logical entities;
- 18 • processing the information to define a hierarchical tree structure
19 having a context, the tree structure comprising multiple nodes each
20 of which represent a separate physical or logical entity, said multiple
21 nodes comprising parent and children nodes, at least some of the
22 parent nodes and their associated children nodes having IDs that are
23 unique for the associated node;
- 24 • linking at least one of the multiple nodes to a node of another tree
25 structure having a context and multiple nodes that represent physical
and/or logical entities, individual nodes having unique IDs that can
serve as a basis by which attributes can be assigned to goods or
services,
- the tree structures being configured for traversal in a manner that
enables context to be derived from one or more of the nodes.

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3 In making out the rejection of this claim, the Office essentially relies on
4 Simonetti and Kothuri, and uses the same rationale that it used to make out the
5 rejection of claim 1. For all of the reasons set forth above with respect to the
6 Office's failure to make out a *prima facie* case of obviousness, this claim is
7 allowable. Accordingly, Applicant respectfully traverses the Office's rejection.

8 **Claims 59-60** depend from claim 58 and are allowable as depending from
9 an allowable base claim. These claims are also allowable for their own recited
10 features which, in combination with those recited in claim 58, are neither disclosed
11 nor suggested in the references of record, either singly or in combination with one
12 another.

13 **Claim 61** recites a system for determining context comprising:

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- 15 • one or more computer-readable media; and
- 16 • a hierarchical tree structure resident on the media and
17 comprising multiple nodes each of which represent
18 geographical divisions of the Earth, individual nodes
19 comprising an entity identification (EID) that is unique to the
20 node, EIDs serving as a basis by which attributes can be
21 assigned to goods or services associated with an individual
22 node, said multiple nodes comprising parent and children
23 nodes, at least some of the parent nodes and their associated
24 children nodes having EIDs that are unique for the associated
25 node;
- 26 • wherein at least some of the nodes comprise a node selected
27 from a group of nodes comprising: political entities, natural
28 entities, infrastructure entities, and public places.

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31 In making out the rejection of this claim, the Office essentially relies on
32 Simonetti and Kothuri, and uses the same rationale that it used to make out the

1 rejection of claim 1. For all of the reasons set forth above with respect to the
2 Office's failure to make out a *prima facie* case of obviousness, this claim is
3 allowable. Accordingly, Applicant respectfully traverses the Office's rejection.

4 **Claim 62** recites a system for determining context comprising:

- 5 • one or more computer-readable media;
- 6 • a first hierarchical tree structure having multiple nodes
7 associated with a first context;
- 8 • at least one second hierarchical tree structure having multiple
9 nodes associated with a second context; and
- 10 • at least one node from the at least one second hierarchical tree
11 structure being linked with one node on the first hierarchical
12 tree structure by a link that is configured to enable a complete
13 context to be derived from the first and second contexts,
14 individual nodes having unique IDs that can serve as a basis
15 by which attributes can be assigned to goods or services,
- 16 • said multiple nodes comprising parent and children nodes, at
17 least some of the parent nodes and their associated children
18 nodes having IDs that are unique for the associated node;
- 19 • wherein the nodes of the first hierarchical tree structure
20 comprise geographical divisions of the Earth;
- 21 • wherein the first and the at least one second hierarchical tree
22 structures comprise a plurality of attributes, one of which
23 comprising information that pertains to the tree with which
24 the node is associated.

25 In making out the rejection of this claim, the Office essentially relies on
1 Simonetti and Kothuri, and uses the same rationale that it used to make out the
2 rejection of claim 1. For all of the reasons set forth above with respect to the
3 Office's failure to make out a *prima facie* case of obviousness, this claim is
4 allowable. Accordingly, Applicant respectfully traverses the Office's rejection.

5 **Claim 63** recites a computer-implemented method of determining context
6 comprising:

accessing first and one or more second hierarchical tree structures that are resident on one or more computer-readable media, each tree structure having multiple nodes, the nodes of the first hierarchical tree structure being associated with a first context, the nodes of the one or more second hierarchical tree structures being associated with a second context; and

- traversing multiple nodes of at least one of the tree structures to derive a context, individual nodes having unique IDs that can serve as a basis by which attributes can be assigned to goods or services, *said multiple nodes comprising parent and children nodes, at least some of the parent nodes and their associated children nodes having IDs that are unique for the associated node*;
- wherein the nodes of the first hierarchical tree comprise geographical divisions of the Earth; and
- wherein the traversing comprises traversing at least one node on each tree to derive the context.

In making out the rejection of this claim, the Office essentially relies on Simonetti and Kothuri, and uses the same rationale that it used to make out the rejection of claim 1. For all of the reasons set forth above with respect to the Office’s failure to make out a *prima facie* case of obviousness, this claim is allowable. Accordingly, Applicant respectfully traverses the Office’s rejection.

Claim 64 recites one or more computer-readable media having computer-readable instructions thereon which, when executed by a handheld, mobile computing device, cause the computing device to:

- access first and second hierarchical tree structures, each tree structure having multiple nodes, the nodes of the first hierarchical tree structure being associated with a first location context, the nodes of the second hierarchical tree structure being associated with a second location context, at least one node of the second hierarchical tree structure being linked with a node of the first hierarchical tree structure; and

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traverse at least one node of each tree structure to derive a
location context, at least one node in a traversal path that
leads to a root node of the second hierarchical tree structure
being linked with a node of the first hierarchical tree
structure, individual nodes having unique IDs that can serve
as a basis by which attributes can be assigned to goods or
services, said multiple nodes comprising parent and children
nodes, at least some of the parent nodes and their associated
children nodes having IDs that are unique for the associated
node.

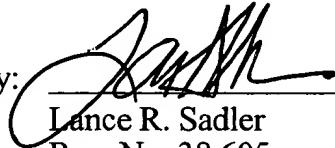
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12 In making out the rejection of this claim, the Office essentially relies on
Simonetti and Kothuri, and uses the same rationale that it used to make out the
rejection of claim 1. For all of the reasons set forth above with respect to the
Office's failure to make out a *prima facie* case of obviousness, this claim is
allowable. Accordingly, Applicant respectfully traverses the Office's rejection.

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14 **Conclusion**

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18 All of the claims are in condition for allowance. Applicant respectfully
requests a Notice of Allowability be issued forthwith. If the Office's next
anticipated action is to be anything other than issuance of a Notice of Allowability,
Applicant respectfully requests a telephone call for the purpose of scheduling an
interview.

19
20 Respectfully Submitted,

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22 Dated: 9/8/03

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25 By: 
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